

In the United States Dist. Court  
for the Middle District of Pennsylvania

William R. Branch  
vs. Plaintiff

Russian, et al.  
Defendants

Civil action No. 1:00-CV-1728  
(Judge Conner)

**FILED**  
HARRISBURG, PA  
APR 25 2005

MARY E. D'ANDREA  
Per Deputy Clerk

Reply Brief to Defendants motion to deny  
Reconsideration of Summary Judgement

If it Please's this most Honorable Court ~~inmate~~  
William Branch Pray's this noble Tribune will deny Defendants  
Motion and Grant my motion of Reconsideration to Reverse  
the Granting of Summary Judgement.

SIR MS Mosley has pleaded that the prison can do  
whatever it wants and say that, this was done for penological  
Reason's and that is true, unless those actions are motivated  
by Retaliation franco vs. Kelly 854 F2d at 856

[A]n act in Retaliation for the exercise of a constitutional  
Right is actionable under section 1983 even if the  
action when taken for different Reasons would been  
proper" Buise vs ~~H~~kins 584 F2d 223, 229 (7th 1978)  
CERT. denied 440 US 916 99Sct 1234, 59. led 2d 466 (1979)  
my Briefs Pt. I & Pt. II have outlined issues that show  
material issues abound, motives (what the Reason for the staff  
filing false misconducts, lying in the misconduct, threaten  
-ing me if I continue my legal action, By the Grace  
of God the Record Shows causality, Confilicting evidence,  
and the motivating factor in a statement MR Friedman made

Defendants motion to Deny Reconsideration of Summary Judgement  
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see: the initial Response to Grievance # Wam-0232-00  
Date 8-3-00 found in Exhibit AA6 stating "because" [P]rotested  
The first amendment Grant me the Right to petition the  
Government for Redress, all this came as I was Reporting  
this to them. they turn around and order and investigate  
Search of my area. Reporting a staff member is a protected  
Right, you can not turn around and order a investigative  
Search because I Report a staff member.

Now Ms Musley esq. S.D.A.G. What legitimate  
Penological interest does this serve, I'll tell you None  
The go went into a hearing with Mr Friedman and  
they said Mr Branch has Reported you in a Request to  
Dept Collarant. Well he'll be sorry he did that and they  
ordered the investigative Search, "Because I Protested"  
and this is a custom and practice to Retaliate and  
conspire to punish Inmate's who speak up.

Summary Judgement is inappropriate where Credibility is  
at issue

for the Reasons above I pray your most noble SIR, that  
you will Reverse the Granting of Summary Judgement and proceed  
to trial, Respectfully

Pratt of service

S.D.A.G. Ms Musley esq 15<sup>th</sup> & Strawberry St Pa 19120

UNSWORN Declaration

I affirm under Penalty of the Law that the above is true

Date 4-26-05

William Branch  
254 N 32 St  
Phila Pa. 19132

Name & No. Branch  
2549 N 32 St  
Phila Pa 19132

~~P.O. Box 256~~

~~Wayne County Pa 19132~~

~~INMATE MAIL~~

PA DEPARTMENT OF CORRECTIONS

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